

(d) Any person upon a skateboard, roller skates, in-line skates, a bicycle or any similar vehicle shall yield the right of way to and not interfere with pedestrian traffic.

(Ord. No. 675, § 1, 5-27-80; Ord. No. 897, § 1, 7-25-95; Ord. No. 911, § 1, 10-8-96; Ord. No. 944, § 1, 5-25-99)

#### **Sec. 14-152. Exceptions.**

The provisions of this section shall not apply to a bicycle, skateboard, roller skates, or in-line skates operated by any peace officer employed by the City of Belmont and acting within the course and scope of his or her employment.

(Ord. No. 911, § 1, 10-8-96; Ord. No. 944, § 1, 5-25-99)

**Editor's note**—Section 1 of Ord. No. 911, adopted October 8, 1996, amended, § 14-152 in its entirety. Formerly, said section pertained to the penalty for violation of § 14-151 and derived from § 1 of Ord. No. 675, adopted May 27, 1980 and § 1 of Ord. No. 897, adopted July 25, 1995.

#### **Sec. 14-153. Penalty for violation of section 14-151.**

Any person violating the provisions of section 14-151 is guilty of an infraction and shall be punishable by a fine of twenty-five dollars (\$25.00) for the first offense, a fine of fifty dollars (\$50.00) for a second offense within one (1) year, and a fine of seventy-five dollars (\$75.00) for each offense in excess of two (2) within one (1) year.

(Ord. No. 911, § 1, 10-8-96; Ord. No. 944, § 1, 5-25-99)

#### **Secs. 14-154—14-159. Reserved.**

### **ARTICLE VI. INTERSTATE TRUCKS**

#### **Sec. 14-160. Definitions.**

The following words and phrases shall have the meanings set forth; and if any word or phrase used in this article is not defined in this section, it shall have the meanings set forth in the California Vehicle Code; provided that if any such word

or phrase is not defined in the Vehicle Code, it shall have the meaning attributed to it in ordinary usage.

(a) *Terminal* means any facility at which freight is consolidated to be shipped or where full load consignments may be loaded and off-loaded or at which the vehicles are regularly maintained, stored or manufactured.

(b) *Interstate truck* means a truck tractor and trailer or doubles with unlimited length as regulated by the Vehicle Code.

(c) *Director of public services* means the director of public services of the City of Belmont or his authorized representative.

(d) *Caltrans* means the State of California Department of Transportation or its successor agency.

(Ord. No. 729, § 1, 3-12-85)

#### **Sec. 14-161. Purpose.**

The purpose of this article is to establish procedures for terminal designation and truck route designation to terminals for interstate trucks operating on a federally designated highway system and to promote the general health, safety and welfare of the public.

(Ord. No. 729, § 1, 3-12-85)

#### **Sec. 14-162. Application.**

(a) Any interested person requiring terminal access from the federally designated highway system shall submit an application, on a form as provided by the city, together with such information as may be required by the director of public services and appropriate fees to the City of Belmont.

(b) Upon receipt of the application, the director of public services will cause an investigation to be made to ascertain whether or not the proposed terminal facility meets the requirements for an interstate truck terminal. Upon his approval of that designation, he will then determine the capability of the route requested and alternate routes, whether requested or not. Determination of route capability will include, without limitation, a review of adequate turning radius and lane width of ramps, intersections and highways and



general traffic conditions such as sight distance, speed and traffic volumes. No access off a federally designated highway system will be approved without the approval of Caltrans.

(c) Should the requested route pass through the City of Belmont to a terminal located in another jurisdiction, the applicant shall also comply with that jurisdiction's application process. Coordination of the approval of the route through the city will be the responsibility of the entity which controls the terminal's land use.  
(Ord. No. 729, § 1, 3-12-85)

**Sec. 14-163. Fees and costs.**

(a) The applicant shall pay a nonrefundable application fee, as established by resolution of the city council, sufficient to pay the cost of the review of the terminal designation and the review of the route and alternate route.

(b) Upon the approval of the terminal designation and route by the city and by Caltrans, the applicant shall deposit with the City of Belmont sufficient funds as estimated by the director of public services to pay for the purchase and installation of terminal trailblazer signs. Trailblazer signs will be required at every decision point in the city en route to the terminal. Upon completion of the installation of the signs, the actual cost shall be computed, and any difference between the actual and the estimated cost shall be billed or refunded to the applicant, whichever the case may be. No terminal or route may be used until such signs as may be required are in place.

(Ord. No. 729, § 1, 3-12-85)

#### **Sec. 14-164. Retrofitting.**

(a) If all feasible routes to a requested terminal are found unsatisfactory by the director of public services, the applicant may request retrofitting of the deficiencies. All cost of engineering, construction and inspection will be the responsibility of the applicant. Except when the retrofitting of deficiencies is within the jurisdiction of Caltrans, the actual construction will be done by the city or by a contractor acceptable to it.

(b) When work is to be done by the city, the applicant shall deposit with the City of Belmont the estimated cost of retrofitting. Adjustments between the estimated and actual cost shall be made after completion of the work, and any difference between the actual and estimated cost shall be billed or refunded to the applicant as the case may be. When the work is done by the applicant, the applicant may file with the director of public services, on a form satisfactory to the director of public services, a statement detailing the actual cost of the retrofitting.

(c) If at any time within five (5) years from the date of completion of the retrofitting by the applicant, should any applicant seek terminal approval which would use the route upon which such retrofitting was accomplished, any such applicant's fee may include the applicant's proportionate share of the retrofitting, as determined by the director of public services, which fee shall be disbursed by the City of Belmont to the applicant who paid for the retrofitting as well as to any

applicant who contributed to the cost of retrofitting under this subsection. Nothing herein shall require the payment of a proportionate fee if the applicant doing the work failed to file the report with the director of public services required by subsection (b) above.

(Ord. No. 729, § 1, 3-12-85)

#### **Sec. 14-165. Revocation of route.**

The director of public services may revoke any approved terminal or route if the terminal or route becomes a traffic hazard for vehicular traffic. A safety hazard includes the inability of interstate trucks to negotiate the route or said vehicles causing unsafe driving conditions for other vehicular traffic or pedestrians.

(Ord. No. 729, § 1, 3-12-85)

#### **Sec. 14-166. Appeal process.**

(a) If the director of public services denies terminal designation or route feasibility or revokes a previously approved terminal or route, the applicant/terminal owner, within ten (10) days following the date of receipt of the decision of the director of public services, may appeal said decision to the city council in writing. An appeal shall be made on a form prescribed by the department of public services and shall be filed with the city clerk. The appeal shall state specifically wherein there was an error or abuse of discretion by the director of public services or wherein its decision is not supported by the evidence in the record. Within five (5) days of the filing of an appeal, the director of public services shall transmit to the city clerk the terminal application, the sketches of the revoked route and all other data filed therewith, the report of the director of public services, the findings of the director of public services and his decision on the application.

(b) The city clerk shall make copies of the data provided by the director of public services available to the applicant and to the appellant (if the applicant is not the appellant) for inspection and may give notice to any other interested party who requested notice of the time when the appeal will be considered by the city council.

(c) If Caltrans and not the director of public services denies or revokes terminal access from

federally designated highways, no appeals may be made to the city council, but must be made to Caltrans as may be permitted by Caltrans. (Ord. No. 729, § 1, 3-12-85)

**Sec. 14-167—14-176. Reserved.**

**ARTICLE VII. TRANSPORTATION  
SYSTEMS MANAGEMENT\***

**Sec. 14-177. Findings.**

The councils of the member cities hereby find and determine that:

- (a) There has been a significant increase in traffic in the cities and surrounding region, and this trend is anticipated to continue in the future.
- (b) Recent and future development and redevelopment within the city and surrounding region will lead to increased traffic in the area.
- (c) Transportation systems management (TSM) programs have been shown to be capable of reducing vehicle trips and increasing vehicle occupancy rates, and can be effective in reducing the need for increasing gasoline taxes and costly major road improvements.
- (d) Decreasing the number of vehicular trips, both absolutely and within peak traffic periods, will help alleviate traffic congestion, energy consumption, and noise levels and will assist in improving and maintaining air quality. These improvements will contribute to making the city an attractive and convenient place to live, work, visit and do business and will help employers recruit and retain a qualified work force.
- (e) Cooperation with and the coordination of TSM programs with nearby cities and other local agencies with transportation roles and participation in a joint powers authority

**\*Editor's note**—The city instructed that the provisions of Ord. No. 809 be included in the Code. The editor has included the provisions of §§ I—XI as ch. 14, art. VII, §§ 14-177—14-187. Subsequently, Ord. No. 889, adopted Feb. 28, 1995, revised this article to read as herein set out.

with some or all of these agencies will assist the city in meeting the goals and objectives of this article.

- (f) Adoption of this article is one (1) component of implementing a comprehensive approach to reducing traffic problems that should be supported by complementary land use policies and transportation and transit improvements.
- (g) Adoption of this article will promote public health, safety, economic vitality, mitigate the effects of traffic congestion including associated noise and air quality impacts on the environment, and support the general welfare, both within the city and the region.
- (h) The goals and objectives of this article are consistent with this city's general plan.
- (i) Participation of private and public employers, complex operators, employer organizations, and employee organizations (as said terms are hereinafter defined) is critical to the successful implementation of this article.
- (j) In adopting this article, it is the intention of the city council that employers and complex operators who act diligently and in good faith to comply with its provisions shall not be penalized for lack of participation of employees or tenants in commute alternatives, and shall not be held accountable for the achievement of a participation rate by employees or tenants.
- (k) This article will implement provisions of that certain "Joint Powers Agreement establishing that Intercity Transportation Systems Management (TSM) Authority," a joint exercise of powers agreement entered pursuant to the provisions of Government Code section 6500 et seq., of which authority this city is a member.
- (l) Since the Bay Area Air Quality Management District's (BAAQMD) Regulation 13, Rule 1 is the current trip-reduction regulation with which employers must comply and the local jurisdictions within San Mateo County did not elect to accept delegation of